



MINUTES

BOARD OF EQUAL RIGHTS COMMISSIONERS

May 16th 2018, at 2:30pm

Room 303, City Hall, 200 E. Wells Street Milwaukee, WI 53202

Present:

Commissioner Jeffery Roman, Chair

Commissioner Chez Ordonez, Vice-Chair

Commissioner Tony Snell

Commissioner Mayhoua Moua

Commissioner Sheila Ashley

Commissioner Jennifer Bennett

Commissioner Reggie Jackson

Commissioner Martha Collins

Commissioner Nathan Guequierre

Sharon Robinson, Director, Dept. of Administration

Jessica Langill, Dept. of Administration

Patricia Ruiz-Cantu, Dept. of Administration

Ben Roovers, City Attorney's Office

Rebecca Rabatin, ADA Coordinator, Dept. of Administration

James Hannig, Bike & Ped Coordinator, Department of Public Works

Deb Falk-Palec, Milwaukee County Commission for Persons with Disabilities

The meeting was called to order at 2:31pm

1. Approval of Minutes from March 21st Meeting

Commissioner Ordonez called the meeting to order. Commissioner Snell moved to approve the minutes, Commissioner Mayhoua seconded. No objections.

2. Introduction of New Commissioners

Commissioner Ordonez stated the new commissioners had just taken their oath of office and that they were welcome to introduce themselves. Commissioner Guequierre stated he is an Urban Planner that lives in the third district and is honored to take on the role. Commissioner Jennifer Bennett stated she is a professional licensed engineer and lives in Harambee. Commissioner Reggie Jackson stated he was pleased to be part of the group and is looking forward to doing the important work of the Commission. He works for a workforce services

company and also does work for the Black Holocaust Museum and the Zeidler Center for Public Discussion. Commissioner Martha Collins stated she is a long-time resident of Milwaukee and is passionate about social economic justice work. She is a Director with Hunger Task Force. Commissioner Ordonez stated that the ERC is excited to have everyone and is looking forward to the fresh ideas.

3. Commissioner Appointments

Held until next meeting.

4. Commissioner Handbook

Commissioner Ordonez stated that the Commissioners had been provided with a copy of the Commissioner Handbook Content Overview. He said the document was basically the table of contents for the commissioner handbook. The handbook will be used to help all new, current, and incoming Commissioners understand how to be the most effective. Commissioner Ordonez stated that once the handbook is completed it will be made available to all Commissioners and then would need to be voted on as a full body.

Commissioner Bennett asked if there was a timeline for the completion of the Commissioner Handbook. Commissioner Ordonez stated finalizing touches needed to be made, but that it should be available before the June meeting for review. Commissioner Ashley asked if the handbook was put together in a committee meeting. Commissioner Ordonez stated that the handbook was discussed in the strategic planning committee meeting. He stated it had also been discussed in the past 4 meetings. Commissioner Ordonez stated that the handbook is a fluid document.

Commissioner Ashley asked to be walked through the thinking about the Duties and Responsibilities of the Commission section of the handbook. Commissioner Ordonez stated the section would include things like what listening sessions are, what is being asked of Commissioners regarding community outreach, meeting attendance, and how to participate effectively. He also stated that the ERC is required to submit an annual report to the Mayor. Commissioner Ashley asked if the subjective topics that speak to the individual responsibilities as a Commissioner were already flushed out. Commissioner Ordonez stated that the document is mirroring what other national commissions are doing and that it is not a completed document. Commissioner Ordonez stated that he plans to send a draft document out to all Commissioners so they have time to review it and can make edits.

Director Sharon Robinson stated that if a Commissioner does not meet all of the requirements written in the handbook, removal can still only be done by the Mayor since Commissioners are appointed by the Mayor. Commissioner Ashley stated that much of the handbook would need to be objectified for her to be comfortable with passing it through. Commissioner Ordonez stated that the document needed to represent the entire Commission.

Commissioner Snell stated that the handbook should be looked at as a part of a larger picture. He stated that it may make more sense to base the handbook and other documents on the outcomes of the upcoming strategic planning session. He stated the mission statement should be the foundation of the policies and procedures.

5. Ordinance Refresher and Rules of Order (Ben Roovers)

Ben Roovers, ERC Staff Attorney, stated that the purpose of his presentation is to go over basic parts of Robert's Rules of Order and to give an overview of Chapter 109, which creates the ERC and sets up the parameters for what the ERC can and cannot do.

He stated Robert's Rules of Order was created in Milwaukee for the purposes of making church meetings more orderly. Over the past 170 years it has been widely adopted and is used by the Common Council of Milwaukee. Roovers stated the ERC is a "deliberative assembly," meaning the group acts as a whole. If any individual wants to exercise their first amendment rights, they can do so as a private citizen. Roovers stated that Commissioners should announce to the officials that they are meeting with in what capacity they are addressing them (private citizen, job title). When the Commission decides as a whole body on an issue, individual Commissioners can speak on behalf of the Commission. Commissioner Ashley stated that the ERC should be intentional about what politics to become involved in to be sure that individual politics do not overrun the mission of the ERC.

Ben Roovers shared that as a public body the ERC is subject to Open Meetings Laws. He stated that the Commission must publish an agenda available to the public before each meeting and that it is important that the Commission sticks to the agenda. Open meeting laws also apply to telephone calls. He stated that a Commissioner can bring a motion to take a specific stand/make a specific action on an agenda item. After the motion, another Commissioner must second the motion. The chair must then restate the question/what is about to be voted on. Debate ensues and then it is put up for a vote.

Ben Roovers stated there are special and standing committees. A special committee is appointed for a certain amount of time and dissolves when the task is completed. It generally has a narrow focus. He stated the ERC decides how many members need to be on the committees and how the members are appointed. The committee must follow the same quorum requirements and all meetings should be noticed to the public. Power for committees is granted by the committee/chair.

Ben Roovers went through Chapter 109 and stated that it is the Ordinance that creates the ERC. Four members constitute a quorum. Majority vote needed to approve an action. Roovers went on to discuss prohibited discrimination and protected classes of Chapter 109. As it is written now, the ERC cannot handle any issues that are brought against the City of Milwaukee or any of their direct entities. Additionally, the ERC does not have jurisdiction over any discrimination issue that can be investigated by a state or federal agency.

There was discussion about the lack of infrastructure within the ERC to take discrimination complaints from any person that falls within a category of ERC jurisdiction. Roovers stated that it is necessary that the ERC is able to take a complaint as quickly as possible in order to be compliant under Chapter 109. Director Robinson reminded that infrastructure can also include the partnerships that have been discussed in the past. Commissioner Ordonez stated that the ERC has never been adequately funded. He stated more funding could be used to hire an investigator and/or mediator for discrimination cases. Commissioner Ashley stated that we need to be realistic about the limitations of the ERC and to think about possible cost-sharing and partnerships with similar organizations. Director Robinson stated that the staff needs to work to establish the process and partnerships to start building capacity.

6. Strategic Plan

Commissioner Ordonez stated that a strategic plan needs to be created. He stated that the strategic planning committee has met twice to discuss core goals and what needs to be discussed in strategic planning. Jessica Langill stated that a retreat would be the best way for everyone in the Commission to be involved in creating a strategic plan. Director Robinson stated she would find a facilitator.

7. Adaptive Bike Update (James Hannig & Rebecca Rabatin)

James Hannig, Pedestrian Bicycle Coordinator (DPW, and Rebecca Rabatin, ADA Coordinator (DOA), gave a quick overview on how the adaptive bike discussion came to the city. James stated that in August a listening session was held regarding disability issues and the lack of adaptive/accessible bikes in the bike share program was brought up. He stated in October the city received a formal grievance regarding the lack of accessible bikes in the bike share program. Rabatin stated that the city responded to the grievance stating that the city is aware of the issue and would be putting a workgroup together to address the lack of adaptive bikes.

Rebecca and James described the type of adaptive/alternative bikes that are used by people with disabilities. They discussed how Bublr Bikes currently works within the city and some other bike share programs that do offer alternative/adaptive bikes. They also discussed the workgroup that has been formed to address the issue. Commissioner Ordonez stated that the ERC chose to not be a part of the workgroup in the case that another grievance is filed and the ERC would have to hear the case. Instead, Jessica Langill attends the meetings as the staffer of the ERC.

Commissioner Jackson asked what the expectation would be regarding the placement and amount of adaptive bikes within the bike share program. Hannig stated that they are looking to the workgroup for recommendations on the community needs/expectations. He stated that eventually they hope that the bike share program would be a fully accessible system. Rabatin and Hannig talked about the first workgroup meeting and the expertise of those that attended. They stated they set the agenda for the second meeting based on feedback from the first.

Hannig stated that DPW is looking at putting together a community survey that would get feedback from the broader community on adaptive/alternative bikes. Hannig stated that there is a lot of interest in dockless bikeshare models. He stated that model would be more conducive to including adaptive/alternative bikes. Commissioner Ordonez asked what vendors were invited to the workgroup and what their participation is going to look like in the future. Hannig stated that a representative from Zagster attended the first meeting. He also stated that while Bublr is not considered a vendor as a nonprofit organization that does not manufacture the bicycles, they also had a representative at the first meeting. Commissioner Ordonez stated that while Bublr may be a nonprofit org, they are getting city dollars, and therefore the city is their agent, giving Bublr an advantage when the city chooses a vendor/operator for accessible/adaptive bikes. Hannig stated that the agreement between the city and Bublr is not exclusive, so other vendors/operators could procure a contract with the city as well.

Commissioner Ashley stated that in the March meeting DPW stated that the city would be going through a procurement process to get the most responsible bid for the accessible/adaptive bikes. She stated that an organization cannot be eliminated from the process for not being able to meet all requirements on their own. Commissioner Ashley stated that Bublr could potentially partner with another vendor to get accessible/adaptive bikes, so they should not be excluded from the process just because they do not currently have access to accessible/adaptive bikes. She also stated that the ERC would not be involved in the RFP process. Rabatin stated that she has been working with departments to make sure ADA wording is added to all future contracts.

Commissioner Snell asked if it was realistic to say that bikes would be on the ground by late summer/early fall. Hannig and Rabatin stated that they are hoping to have the bicycles by the end of August and have them ready for use by early fall. Hannig stated in his person opinion, the biggest hold up will be the logistics of the program, but that he is confident something will be implemented by the end of summer. Commissioner Ashley suggested that the RFP be discussed in the next workgroup meeting.

Commissioner Ordonez asked what would happen if DPW did not meet the deadline of late summer/early fall. Rabatin stated that there would be a very angry community. Commissioner Ordonez stated that it is the ERC's role to make sure that these deadlines are met and that there is transparency with the community. Hannig stated that DPW is taking the deadlines very seriously and is working hard to meet them. Commissioner Guequierre stated that he commends the workgroup process and appreciates that assumptions are not being made.

Deb Falk-Palec, Chair of the County Commission for People with Disabilities, stated that this issue was initially brought up in 2015. She thanked the Commission for listening to the issue and thanked Rabatin and Hannig for their work with the workgroup. Falk-Palec stated that she supports Zagster being a part of the workgroup due to their expertise. She shared some concerns about Portland's bike share program that keeps the bikes in shops instead of on the street. She also stated that she wished the workgroup had learned about the PACE program that Wauwatosa is currently using.

Commissioner Bennett asked if there was time for a qualitative study to be done to find out the true needs of the city. Hannig stated that the case studies presented at the workgroup meeting were not meant to be the only options for Milwaukee, but were intended to start a conversation on alternatives. Commissioner Guequierre stated that the system DPW is currently using should be enough community involvement and a qualitative study would not be necessarily be essential. Commissioner Bennett stated that a documented formal process from the workgroup and DPW would provide more clarity to the community as decisions are being made. She stated that the assessment and criteria for the workgroup should be clearly defined and all vendor/operator options should be considered through a weighted system. Hannig and Rabatin stated that they will be working with the workgroup to put together the RFP and will also be sending out a community survey.

Hannig stated that DPW is working on a draft dockless bike ordinance as dockless is where the future of bike share programs is heading. Commissioner Snell brought up a concern about bike litter. Commissioner Ordonez requested a draft copy of the ordinance.

8. Celebration of Commissioner Jeff Roman

Commissioner Ordonez presented Commissioner Roman with a Proclamation from the Mayor designating September 19th 2018 Jeffery K Roman Day. Commissioner Ordonez thanked Commissioner Roman for his service on the commission and dedication to working for equality. Commissioner Roman thanked everyone and welcomed the new Commissioners. Commissioner Ordonez asked Commissioner Roman to attend the June 20th meeting to pass along leadership.

9. Community Dialogue & Upcoming Events

Commissioner Snell stated that PrideFest was being held June 7-10th. Commissioner Snell asked that the ERC put together a resolution to make June Pride Month. Commissioner Ordonez stated that the body would need to vote on a resolution and that the draft resolution could be voted through a special phone meeting before Pride.

10. Next Meeting Date: June 20th, 2018 at 2:30pm

11. Adjourn

Meeting adjourned at 5:23 p.m.

* * * jml